

RECEIVED
CLERK, U.S. DISTRICT COURT

JUN 20 2006

DISTRICT OF HAWAII

REPUBLIC OF THE PHILIPPINES

IN THE CITY OF DAVAO

X - - - - -

A F F I D A V I T

That I, HARRISON P. CAGBABANUA of legal age, married, Filipino and a resident of Maligaya, Polanco, Zamboanga del Norte, after having been duly sworn to an oath in accordance with law, do hereby depose and say:

That I have been residing at Maligaya, Polanco, Zamboanga del Norte for about 20 years now.

Q- Why are you executing this affidavit?

A- Because I am filing a damage-claim with the Marcos' Estate as a result of the human rights violation he committed against my person during his almost 20 years of military rule in the country.

Q- Can you narrate to us what really had happened?

A- At about 12:00 highnoon of October 5, 1985, a group of military men belonging to the Composite Infantry Battalion (CIB), arrived in our place in Maligaya and thru threats and intimidation, they assembled all the residents there including the Barangay Officials in the Public Market.

Q- By the way, what was your position in your barrio at the time?

A- I was a barangay councilman and in fact, up to now, I am still one of the barangay councilmen there.

Q- What happened during the time when all of you were assembled thereat?

A- We, barangay officials were asked where were the armed group or NPA rebels operating in our area but since we did not know their camp or base we denied having known their hideout.

Q- Then what transpired?

A- When their leader came to know that my family name is Cagbabanua, he then approached me and without any words, he hit me with the butt of his armalite hitting my body and breast.

Q- Then what happened?

A- After he was through, he asked me where was Celso Cagbabanua hiding and he was referring to my cousin who was reportedly joining the rebels and since I did not know his whereabouts, I denied and because of that I was again hit by his rifle resulting to my injuries in the different parts of my body.

Q- What did he do then?

A- After the assembly, I together with the other barangay officials were brought to their camp and there we

Rayden Cagbabanua

Page-2-

RECEIVED

Q- Did they released you ?

A- Nos, sir, despite my plea and they kept me there for about a month.

Q- What did they do to you in all this period?

A- Sometimes they would ask me questions but most of the time, they would bring me during their military operations in the hinterland.

Q- Did they equip you with firearms during operation?

A- No, sir, I was unarmed.

Q- Were there occasions during the military operation wherein you were ~~xxxx~~ brought and that there was actual gunbattle ~~wt~~ between the rebels and the military?

A- There was, sir, but luckily, I was not hit.

Q- What else did they do to you?

A- There were many occasions that they commanded me to climb and pick the coconuts and if I would refuse because I ~~dox~~ not know how to climb, they threatened me with their guns and so I was forced to ~~xxxxxx~~ climb the coco trees.

Q- Did they finally release you?

A- Yes, sir, for about a month, they released me.

Q- What did you feel during your confinement there?

A- I felt so worried, sir, demeaned, belittled and ridiculed. The military men had wantonly violated my human rights by detaining me without any case or cause.

Q- How much are you asking for moral and exemplary damages and other damages for that matter?

A- It's up from the higher ~~xxx~~ authorities how much they would grant me.

Q- Do you have something more to say?

A- No more, sir, unless further asked.

IN WITNESS WHEREOF, I have hereunto affixed my signature below this 13th day of July, 1993 at Dipolog City, Philippines.


HARRISON P. CAGABANUA
(Affiant)

SUBSCRIBED AND SWORN to before me this 13th day of July, 1993 at Dipolog City, Philippines.

CERTIFICATION
I HEREBY CERTIFY THAT I HAVE PERSONALLY EXAMINED THE


MEINARDO VELASCO
2ND ASST. CITY PROSECUTOR
DIPLOLOG CITY

HARRISON P. CACERES
 CTO, TOMAC, MUTA, ZAMBONCA
 DEL WASTE
 #104

CIVIL NO. 03-1111
 (MDL 840) MARCOS
 HUMAN RIGHTS LITIGATION

96850+0001-99 C017

CLERK OF THE COURT
 UNITED STATE COURTHOUSE
 360 RUA MONTA CAVALHEIRO
 MONTEVIDEO, URUGUAY 96850
 U.S.A

